

1 HOUSE BILL NO. 162

2 INTRODUCED BY T. CALLAHAN

3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE VIDEO GAMBLING MACHINE ANNUAL PERMIT
6 FEE; INCREASING THE AMOUNT OF THE FEE THAT IS USED BY THE DEPARTMENT OF JUSTICE TO
7 ADMINISTER THE VIDEO GAMBLING MACHINE LAW; AMENDING SECTION 23-5-612, MCA; AND
8 PROVIDING AN EFFECTIVE DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 23-5-612, MCA, is amended to read:

13 **"23-5-612. Machine permits -- fee.** (1) The department, upon payment of the fee provided in
14 subsection (2) and in conformance with rules adopted under this part, shall issue to the operator an annual
15 permit for an approved video gambling machine.

16 (2) (a) The department shall charge an annual permit fee of ~~\$200~~ \$220 for each video gambling
17 machine permit. The fee must be prorated on a quarterly basis but may not be prorated to allow a permit to
18 expire before June 30. The department may not grant a refund if the video gambling machine ceases operation
19 before the permit expires.

20 (b) If the person holding the gambling operator's license for the premises in which the machine is
21 located changes during the first quarter of the permit year and the new operator has received an operator's
22 license and if a machine transfer processing fee of \$25 per machine is paid to the department, the permit
23 remains valid for the remainder of the permit year.

24 (3) The department shall deposit ~~50%~~ \$120 of the ~~total annual~~ permit fee or for a prorated fee shall
25 deposit \$90 for three quarters, \$60 for two quarters, and \$30 for one quarter collected under subsection (2)(a)
26 and 100% of the machine transfer processing fee collected under subsection (2)(b) in the state special revenue
27 fund for purposes of administering this part and for other purposes provided by law. The balance of the fee
28 collected under subsection (2)(a) must be returned on a quarterly basis to the local government jurisdiction in
29 which the gambling machine is located. The local government portion of the fee is statutorily appropriated to the
30 department, as provided in 17-7-502, for deposit in the local government treasury."

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2 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2003.

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